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Receipt #118 #3  
PATENT

Case Docket No. GNE.3030R1C6  
Date: April 26, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Desnoyers et al.  
App. No. : 10/036,063  
Filed : December 26, 2001  
For : SECRETED AND  
TRANSMEMBRANE  
POLYPEPTIDES AND NUCLEIC  
ACIDS ENCODING THE SAME  
Examiner : Unknown  
Group Art Unit : 1646

I hereby certify that this correspondence and all  
marked attachments are being deposited with the  
United States Postal Service as first class mail in  
an envelope addressed to: United States Patent  
and Trademark Office, P.O. Box 2327,  
Arlington, VA 22202, on

April 26, 2002

(Date)

AnneMarie Kaiser, Reg. No. 37,649

TRANSMITTAL LETTER

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202  
Attention: Box Missing Parts

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) Communication in Response to Notice to File Missing Parts.
- (X) A copy of the Notice to File Missing Parts.
- (X) An Application Data Sheet in 6 (six) pages.
- (X) Return prepaid postcard.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410.

AnneMarie Kaiser  
Registration No. 37,649  
Attorney of Record

GNE 3030R1C6

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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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		TRANSMEMBRANE	)	
		POLYPEPTIDES AND	)	
		NUCLEIC ACIDS	)	
		ENCODING THE SAME	)	
			)	
Examiner	:	Unknown	)	
			)	

COMMUNICATION IN RESPONSE TO THE  
NOTICE TO FILE MISSING PARTS

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

This communication is in response to the Notice to Comply mailed on March 26, 2002. The Notice to Comply states that the signature of Napoleone Ferrara is missing from the oath or declaration. Therefore, the Notice to File Missing Parts asserts that in order to avoid abandonment, a late filing fee or oath or declaration surcharges as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity must be submitted with the missing item(s).

**However, Napoleone Ferrara is not an inventor of the claimed invention.** The declaration filed on December 26, 2001 sets forth the correct inventorship of the claimed invention in compliance with 37 C.F.R. §1.63, and this is further confirmed by the Application Data Sheet filed herewith. Napoleone Ferrara was incorrectly listed as an inventor on the

Appl. No. : 09/931,836  
Filed : August 16, 2001

Transmittal filed on December 26, 2001. Therefore, Applicants believe that, consistent with 37 C.F.R. §1.41(a), no oath or declaration is required to be submitted in response to the Notice to File Missing Parts and no surcharge is required.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 4/26/02

By: 

AnneMarie Kaiser  
Registration No. 37,649  
Attorney of Record  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660  
(619) 235-8550

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/036,063	12/26/2001	Luc Desnoyers	P3030RIC6

Ginger R. Dreger  
Knobbe Martens Olson & Bear  
Suite 1150  
201 California Street  
San Francisco, CA 94111



CONFIRMATION NO. 4326

## FORMALITIES LETTER



\*OC000000007719711\*

Date Mailed: 03/26/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Napoleone Ferrara*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**FROM:**

LAW OFFICES OF  
**KNOBBE, MARTENS, OLSON & BEAR, LLP**  
INTELLECTUAL PROPERTY LAW

550 WEST C STREET, SUITE 1200

SAN DIEGO, CA 92101

**TO:**

**ATTN: US PATENT & TRADEMARK OFFICE**  
PO BOX 2327  
ARLINGTON VA 22202  
ATTN: BOX MISSING PARTS

ADK

GNE.3030R1C6

